

PTO/SB/21 (02-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/649,567
	Filing Date	August 27, 2003
	First Named Inventor	Frank D. Garber
	Art Unit	3732
	Examiner Name	Annette R. Reimers
Total Number of Pages in This Submission	Attorney Docket Number	ZM0521

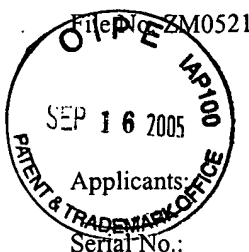
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jonathan D. Feuchtwang, Reg. No. 41,017 Zimmer Technology, Inc.
Signature	
Date	September 14, 2005

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File No. ZM0521

PATENT APPLICATION

JFEV

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Garber et al

Serial No.: 10/649,567

Filed: August 27, 2003

For: HIP PROSTHESIS WITH A MODULAR  
ACETABULAR CUP ASSEMBLY

Art Unit: 3732

Examiner: Annette R. Reimers

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September 14, 2005

Date

Attorney for Applicants

Registration No. 41,017

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This IDS is submitted under 37 C.F.R. §1.97(c), after the C.F.R. §1.97(b) time period, but before the mail date of a Final Office Action or a Notice of Allowance (whichever occurs first), with either:

- (a) a statement under 37 C.F.R. §1.97(e); or  
(b) the \$180.00 fee under 37 C.F.R. §1.17(p).

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of patents, publications or other information of which applicant n(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

(X) Statement Under 37 C.F.R. §1.97(e):

(X) The enclosed references were cited in a Communication issued by the European Patent Office (copy enclosed). Applicant(s) hereby certify(ies) that each item of information cited on the enclosed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

( ) Applicant(s) hereby certify(ies) that no item of information cited on the enclosed Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information cited on the enclosed Form PTO-1449 was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

( ) Enclosed is a check for \$180.00 to cover the fee as set forth in 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or to credit any overpayment, to Deposit Account No. 50-2779. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

ZIMMER TECHNOLOGY, INC.

By:

Jonathan D. Feuchtwang, Reg. No. 41, 017

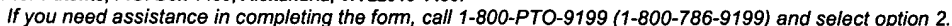
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Sheet	1	of	1
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**Complete if Known**

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Filing Date	August 27, 2003
First Named Inventor	Frank D. Garber
Art Unit	3732
Examiner Name	Annette R. Reimers
Attorney Docket Number	ZM0521

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		EP0353171 A	01/31/90	Fayard	See Report	
		EP0358600 A	03/14/90	Gebruder Sulzer	See Report	
		EP0586335 A	03/09/94	Sulzer Medizina	See Report	
		EP0688546 A	12/27/95	Sulzer Medizina	See Report	
		FR2210909 A	07/12/74	Rambert	Whole Document	
		FR2287209A	03/14/90	Gebruder Sulzer	See Report	

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Signature

Date  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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